

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

SURRAYYA LEMMONES,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:09CV834MLM
	)	
MAXIMUM RECOVERY SOLUTIONS,	)	
INC.,	)	
Defendant.	)	

**MEMORANDUM OPINION**

On November 30, 2009 this matter came before the Honorable Mary Ann L. Medler for a hearing on plaintiff's Motion for Default Judgment. [Doc. 8]<sup>1</sup> With leave of court, plaintiff's counsel appeared by telephone and a record was made in open court. Defendant was given proper notice of the hearing but failed to appear in person and failed to request to appear by phone.

Plaintiff has filed a Memorandum in Support of the Motion for Default Judgment (Doc. 8) which sets out the law concerning the Fair Debt Collection Practices Act (FDCPA) and damages which are available under the FDCPA. Repetition would serve no useful purpose, therefore the Memorandum is incorporated by reference as if fully set out herein.

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<sup>1</sup> Previously, on September 14, 2009 the Clerk of the Court entered a Clerk's Entry of Default (Doc. 7) pursuant to Fed.R.Civ.P. 55(a) in that defendant was served with the Summons and Complaint on August 3, 2009 and failed to file an Answer or other responsive pleading within the time required by Fed.R.Civ.P. 12. (Doc. 6-2).

Plaintiff requests:

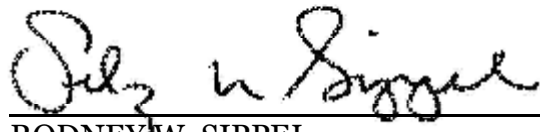
- (1.) \$1,000.00 statutory damages for defendant's violation of the Fair Debt Collection Practices Act.
- (2.) \$2,000.00 actual damages as established by plaintiff's Affidavit for defendant's violation of the Fair Debt Collection Practices Act.
- (3.) \$2,388.00 for plaintiff's attorneys' fees.
- (4.) \$416.39 for plaintiff's costs.
- (5.) For a total judgment in the amount of \$5,804.39.

The court finds plaintiff's damages are reasonable and there being no objection by defendant, the total amount claimed should be awarded to plaintiff.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's Motion for Default Judgment is **GRANTED**. [Doc. 8]

**IT IS FURTHER ORDERED** that a separate Default Judgment shall issue.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 2nd day of December, 2009.